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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/241,153    02/01/99    TERASHITA    T    048986-5001

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1800 M STREET NW  
WASHINGTON DC 20036

TM02/0508

EXAMINER
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TILLERY, R

ART UNIT	PAPER NUMBER
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2612

DATE MAILED:

05/08/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/241,153		TERASHITA, TAKAAKI	
	<b>Examiner</b>		<b>Art Unit</b>	
	RASHAWN N TILLERY		2612	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 February 1999.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

**Attachment(s)**

- |   |  |
|---|--|
| 15) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 16) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 17) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 20) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1, 4/1, 6-7, 10/6 and 10/7 are rejected under 35 U.S.C. 102(b) as being anticipated by Dalton et al (US5493332).

Regarding claims 1 and 6, Dalton discloses an image processing apparatus for carrying out image processing on digital image signals, which have been acquired with digital cameras, the apparatus comprising:

An input means (see col. 6, lines 9-19 where the camera head and the storage of the various parameters are discussed) for inputting pieces of information, which represent kinds of the digital cameras, and

An image processing means (see figure 2, element numbers 30 and 40 and col. 2, lines 41-45 where the two processors are discussed) for carrying out image

processing on the digital image signals and under different image processing conditions in accordance with the kinds of the digital cameras, which are represented by the pieces of information inputted from the input means.

Dalton teaches a CCD head and camera controller configured to accept any one of a variety of CCD imagers from different suppliers and with different operational parameters (see col. 5, lines 44-61).

Regarding claim 4/1, Dalton discloses that the pieces of information, which represent the kinds of the digital cameras, are appended to the digital image signals (see col. 6, lines 9-19 since, both the camera head and the camera body contain memories containing the stored parameter data, the information must be transferred via the digital signal).

Regarding claim 7, Dalton discloses an image processing means which is provided with a storage means for storing pieces of information, which represent kinds of the digital cameras, and a selection means for selecting image processing conditions, which have been stored in the storage means, in accordance with the kinds of the digital cameras (see col. 5, lines 51-61 and col. 6, lines 9-19 where the storage means and means for accessing the stored data is discussed).

Regarding claims 10/6 and 10/7, see claim 4/1 above.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2, 4/2, 8/6 and 8/7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dalton et al.

Regarding claim 2, Dalton discloses, in col. 5, lines 51-61, that the various operational parameters and the replacement CCD imagers are stored in a memory prior to camera operation. While Dalton does not explicitly disclose calculating the statistical information upon receipt of the digital signal, it would have been obvious to one of ordinary skill in the art at the time the invention was made to calculate the statistical information and determine the image processing conditions in accordance with the statistical information during manufacturing.

Regarding claim 4/2, see claim 4/1 above.

Regarding claims 8/6 and 8/7, see claim 2 above.

3. Claims 3/1, 3/2, 9/6 and 9/7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dalton et al in view of Hirasawa et al (US5488414).

Regarding claims 3/1 and 9/6, Dalton discloses a camera processor capable of processing a variety of different CCD imagers. Dalton does not explicitly disclose displaying the kinds of digital cameras. However, Hirasawa discloses, in figure 5 and col. 7, lines 36-44, that it is well known in the art to display, to the user, as much information as possible. Therefore, it would have been obvious to one of ordinary skill

in the art at the time the invention was made to implement Hirasawa's teachings. One would have been motivated to do so in effort to maintain ease of operability.

Regarding claim 3/2, see claim 3/1 above.

Regarding claim 9/7, see claim 3/1 above.

4. Claims 5/1, 5/2, 11/6 and 11/7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dalton et al.

Regarding claims 5/1 and 11/6, Dalton discloses a way of automatically inputting pieces of information representative of the kinds of digital cameras. Dalton does not, however, disclose a manual input. *In re Venner* reveals that since replacing a manual means with an automatic means accomplishes the same result, the limitation is not distinguishable over the prior art (*In re Venner*, 262 F.2d 91, 120 USPQ 193, 194 (CCPA 1958)). In addition, the same is true for replacing an automatic means with a manual means. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to make something manual which was automatic so as to allow the user to control the system according to his/her own needs and individual preferences.

Regarding claims 5/2 and 11/7, see claim 5/1 above.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Tsunezune et al discloses a camera system with a plurality of camera head units usable together.

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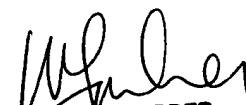
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to RASHAWN N TILLERY whose telephone number is 703-305-0627. The examiner can normally be reached on M-F 8-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WENDY GARBER can be reached on 703-305-4929. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-5359 for regular communications and 703-308-5359 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

RNT  
May 7, 2001

  
WENDY R. GARBER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600